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December 9, 2020

VIA ELECTRONIC SUBMISSION

Idaho Public Service Commission
11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, ID 83714

RE: CASE NO. GCP – T - 2001 - In the Matter of GC Pivotal, LLC dba Global Capacity's Eligibility to Hold Certificate of Public Convenience and Necessity Number 530

Dear Commissioners', Raper, Kjellander and Anderson:

My name is Kevin Sullivan and I am Tax Director of GC Pivotal, LLC dba Global Capacity, LLC ("GC Pivotal"). I am providing this notarized document with enclosures to you as follow up to the Commission meeting which took place November 17, 2020.

First; and foremost I would like to thank the Commission with its leeway and kind consideration to let Ms. Laura Garfinkel from CLA (CliftonLarsonAllen LLP) participate on our behalf; to the limited extent she was allowed to. CLA (formerly GSA) has been supporting the regulatory and compliance needs for GC Pivotal for over two years.

Second; I would like to personally attest to the fact that an unfortunate miscommunication had occurred internally which created the deficiency of our being in compliance with the Commissions requirement when granted the original approval and GC Pivotal was awarded Certificate of Public Convenience and Necessity Number 530.

Prior to the hearing on November 17, 2020 the deficiency of the 3 reports in question had been satisfied. Please note I have included as enclosures to this letter so that you have a full and complete copy which supports this communication.



I would now like to address the questions posed in the Order to Show Cause Notice along with the Affidavit provided to the Commission by Mr. Daniel Klein. Some of these answers had been provided by Ms. Garfinkel during the November 17, 2020 hearing. However I understand that the comments made, and information provided by Ms. Garfinkel do not meet the Commission guidelines as set forth on the specific Commission Orders. Therefore as a Director of the Company who holds signatory rights my statements herein this letter and specifically below should be entered into the record.

1. GC Pivotal is a reseller of telecommunications products and services. The company provides a wide array of products which include but are not limited to:

- a. POTS Lines, Private Line and Point to Point Lines
- b. MPLS Circuits, Metro Ethernet
- c. T1's
- d. Voice Over Internet ("VoIP") Services
- e. DIA
- f. Managed Services

2. The company does not have; nor seeks to have in the state of Idaho any formal Interconnection Agreements with the representative ILECs' within the state of which such formal Interconnection Agreements require Commission approval. GC Pivotal only has interconnection agreements which underlying carriers only to the extent that such Interconnection Agreements support IP to IP interconnection(s) for the provisioning of VoIP traffic along with using like or similar protocols such as SIP or SS7.

3. GC Pivotal provides Basic Local Service only to the extent that it resells underlying carriers POTS and/or Private Line Service.

4. I attest that I will work personally with CLA to ensure that whatever back filings related to IUSF and TRS will be promptly filed with the Commission and further all filings related to same shall be filed on and in accordance with the Commission rules and schedules.

5. GC Pivotal has no more than twelve (12) to fourteen (14) business customers in the state and for the foreseeable future shall have no additional customers as the GC Pivotal does not actively pursue sales to business customers in the state of Idaho. The existing customers of GC Pivotal had been



acquired through the acquisition between Access Point and GC Pivotal.

6. GC Pivotal has no more than twelve (12) to fourteen (14) business customers in the state, of which such customers who do purchase resold services from GC Pivotal generate Interstate usage on POTS and/or Private Line Service. And GC Pivotal does not provide the actual dial tone in the “traditional sense” to an end user and the company does not hold or house any switches, equipment and or infrastructure in an ILEC’s end office and/or central office.

7. In the affidavit provided by Mr. Klein the assertions are related to actions taken by the Idaho Public Service Commission to validate the Company of and by:

a. Calling certain organizations which support numbering resources to carriers. There would be no record of GC Pivotal in any context and as related to North American Numbering Plan Administrator (“NANPA”) as GC Pivotal has never had any cause to contact NANPA. GC Pivotal does not have nor issue its own phone numbers for resale to business customers.

b. Mr. Klein also attests that there was examination made of the Federal Communications Commission Wireline web site to determine if GC Pivotal had submitted and was awarded an Authorization to Obtain Numbering Resources Pursuant to Section 52.15(G) of the Commission’s Rules. Again GC Pivotal does not provision, issue or resell its own phone numbers, does not have an IPES OCN number and will not now and/or in the future avail itself of the program which Mr. Klein referenced in his affidavit. Further GC Pivotal will not now and/or in the foreseeable future participate in any other program which would provide the company with the ability to issue its own phone numbers and/or issue its own phone numbers and have the ability to take VoIP originated calls relative to such numbers and bring such telecommunications traffic to the Public Switched Telephone Network (“PSTN”).



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I will also attest to each of you that as a duly authorized representative of GC Pivotal that we will make all best efforts to always remain in full compliance with all rules, guidelines and regulations as set forth by the Commission. And we apologize for any inconvenience caused by the miscommunication which occurred that thereby precipitated this series of events.

Commissioners' Raper, Kjellander and Anderson I do hope this correspondence answers your questions and clears up any open issues.

Should you have any questions concerning this filing, please do not hesitate to contact me.

Respectfully Submitted,

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Enclosures

Commonwealth of Virginia
City/County of Fairfax
The foregoing instrument was acknowledged before me
this 9 day of December, 2020
by Kevin Sullivan
Notary Signature Kelly Elizabeth McGaugh
Registration # 7889035 Expires February 29, 2024
KELLY ELIZABETH McGAUGH, Notary Public